

Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

AIR QUALITY PERMIT

Permittee Name: Hayes Lemmerz International—Kentucky, Inc.
Mailing Address: 346 Central Avenue, Bowling Green, Kentucky 42101

Source Name: Hayes Lemmerz International—Kentucky, Inc.
Mailing Address: 346 Central Avenue
Bowling Green, Kentucky 42101

Source Location: 346 Central Avenue, Bowling Green, Kentucky

Permit Type: Federally-Enforceable
Review Type: Title V

Permit Number: V-99-074
Log Number: F752
Application
Complete Date: October 3, 1998

KYEIS ID #: 105-3960-0093
AFS Plant ID #: 21-227-00093
SIC Code: 3465

Region: South Central Kentucky
County: Warren

Issuance Date:
Expiration Date:

John E. Hornback, Director
Division for Air Quality

TABLE OF CONTENTS

<u>SECTION</u>	<u>DATE OF ISSUANCE</u>	<u>PAGE</u>
SECTION A	PERMIT AUTHORIZATION	1
SECTION B	EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS	2
SECTION C	INSIGNIFICANT ACTIVITIES	10
SECTION D	SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS	12
SECTION E	SOURCE CONTROL EQUIPMENT OPERATING REQUIREMENTS	13
SECTION F	MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS	14
SECTION G	GENERAL CONDITIONS	17
SECTION H	ALTERNATE OPERATING SCENARIOS	22
SECTION I	COMPLIANCE SCHEDULE	23

SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application which was determined to be complete on October 3, 1998, the Kentucky Division for Air Quality hereby authorizes the construction and operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in the Regulation 401 KAR 50:035, Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

EP08 (S-12) A Kewanee L3W-600-G 25.106 MM Btu/hr Boiler

Description:

Natural gas is burned to produce process heat but propane may be used as a secondary fuel.
Construction commenced: 1993

APPLICABLE REGULATIONS:

Regulation **401 KAR 59:015**, New indirect heat exchangers, applicable to affected facilities with a capacity of 250 million BTU per hour heat input or less commenced after August 9, 1972, limits particulate and sulfur dioxide emissions.

Regulation **401 KAR 59:005**, General provisions, provides for the establishment of monitoring requirements, performance testing requirements, and other general provisions as related to new sources effective December 1, 1982.

Regulation **401 KAR 60:005**, 40 CFR Part 60 standards of performance for new stationary sources, applies because **40 CFR 60, Subpart Dc** regulates each steam generating unit commenced after June 9, 1989 that has a maximum design heat input capacity between 10 MM Btu/hr and 100 MM Btu/hr.

Operating Limitations:

To satisfy monitoring requirements of 40 CFR 70.6, the following limits will apply.

1. Only natural gas or propane shall be burned.
2. Proper maintenance shall be practiced.

Emission Limitations:

401 KAR 59:015

The following emission limitations will apply unless the permittee petitions the Cabinet for alternative emission limitations according to Section 3(3) of the above listed regulation.

1. Section 4(1)(c) limits emissions of **particulate matter** to no more than 0.4508 lbs/MMBtu actual heat input.

Note: The limit is determined by substituting the maximum heat input rating for all indirect heat exchangers greater than or equal to 1 MMBtu/hr heat input capacity at the source (25.106) into the following equation.

$$PM = 0.9634 \times (\text{total heat input capacity in MMBtu/hr})^{-0.2356}$$

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Limitations (Continued):****401 KAR 59:015**

2. Section 4(2) limits visible emissions to a maximum of **20% opacity** except for emissions occurring during cleaning of the fire box, blowing of soot, and building of a new fire.
 - a. While cleaning of the fire box or blowing of soot is being done, visible emissions are limited to a maximum of 40% opacity for not more than 6 consecutive minutes in any 60 consecutive minutes.
 - b. There is no limit to visible emissions opacity while building a new fire provided a manufacturer recommended method is used and the manufacturer recommended time frame for bringing the boiler up to operating conditions is not exceeded.
3. Section 5(1)(c) limits emissions of any gas which contains **sulfur dioxide** to no more than 2.056 lbs/MMBtu actual heat input.

Note: The limit is determined by substituting the maximum heat input rating for all indirect heat exchangers greater than or equal to 1 MMBtu/hr heat input capacity at the source (25.106) into the following equation.

$$\text{SO}_2 = 7.7223 \times (\text{total heat input capacity in MMBtu/hr})^{-0.4106}$$

Testing Requirements:**401 KAR 59:005**

Indirect heat exchangers with 250 MMBtu heat input per hour or less are exempted from performance tests as provided in Section 2(1)(b). Since EP08 has a heat input capacity of only 25.106 MMBtu per hour, this affected facility has no testing requirements.

Specific Monitoring Requirements:

See Operating Limitations #1 and #2 and Specific Record Keeping Requirements #2, #3, and #4.

Specific Record Keeping Requirements:

1. **40 CFR 60.48c(g)** requires the permittee to record and maintain records of the amount of each fuel combusted each day.
To demonstrate compliance with Operating Limitation #1,
2. A record of the type of fuel burned shall be maintained.
To demonstrate compliance with Operating Limitation #2,
3. All operating procedures shall be recorded, and
4. All maintenance procedures and performance shall be recorded.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Specific Reporting Requirements:

401 KAR 59:005

Section 3(1)(d) requires written notification of any physical or operational change which may increase the emission rate of any air pollutant to which a standard applies to be furnished to the Cabinet. This notice shall be postmarked 60 days before the change is commenced or as soon as practicable. The notice shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. Additionally, the Cabinet may request supplementary relevant information.

Specific Control Equipment Operating Conditions:

N/A

Alternate Operating Scenarios:

N/A

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP07 (S-4, S-6, S-8, S-9, S-10)

Epoxy Electrodeposition Paint, Rinse, and Dry

Description:

Cathode-type electrodeposition coating of steel wheels is performed.

The maximum throughput rate is 32 wheels per minute.

A 76' x 8' x 6' tank with a capacity of 12,000 gallons is used to electrocoat paint from a dip tank. Coated wheels are rinsed with deionized water, blown off, dehydrated, baked, and cooled down after painting.

Two 2 MMBtu/hr burners using natural gas are utilized in the dehydration portion of the line.

Two 4.75 MMBtu/hr burners using natural gas are utilized in the bake portion of the line.

Construction commenced: 1993

APPLICABLE REGULATIONS:

Regulation **401 KAR 59:010**, New process operations applicable to each affected facility associated with a process operation which is not subject to another emission standard with respect to particulates in Chapter 59 of 401 KAR commenced on or after July 2, 1975.

Operating Limitations:

401 KAR 59:010

The following limits shall apply to assure compliance with Emission Limitations #1 and #2.

1. Only natural gas or shall be burned.
2. Operation and maintenance shall be practiced in accordance with the manufacturer's recommendations.

Emission Limitations:

401 KAR 59:010

1. Section 3(1) limits visible emissions to less than 20% opacity.
2. Section 3(2) limits emissions of particulate matter to a maximum of 2.34 lbs/hr.

Compliance Demonstration Method:

If deemed necessary, the Cabinet shall require testing in accordance with 40 CFR 60 Appendix A, Methods 9 and 5, respectively. Otherwise, compliance with the emission limitations has already been demonstrated through compliance with Operating Limitations #1 and #2.

Testing Requirements:

N/A

Specific Monitoring Requirements:

See Operating Limitations #1 and #2 and Specific Record Keeping Requirements #2, #3, and #4.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Specific Recordkeeping Requirements:

401 KAR 59:010

To demonstrate compliance with Operating Limitation #1,

1. A record of the type of fuel burned shall be maintained.

To demonstrate compliance with Operating Limitation #2,

2. A copy of the manufacturer's operating and maintenance specifications shall be maintained and made available to appropriate division personnel,
3. Any operation or maintenance that is less stringent than the manufacturer's minimum recommendation shall be recorded.
4. Dates and descriptions of maintenance that affects proper operation shall be recorded.

Reporting Requirements:

As part of compliance demonstration for Emission Limitations #1 and #2, reporting requirement 5 in Section F shall be modified to require only a summary of permit deviations for this emission point. This shall be done every 6 months and certified by a responsible official as specified in Section F requirement 5. See reporting requirements 6, 7, and 8 from Section F for additional reporting requirements.

Specific Control Equipment Operating Conditions:

N/A

Alternate Operating Scenarios:

N/A

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**EP13 Acrylic Electrodeposition Paint, Rinse, and Dry****Description:**

Cathode-type electrodeposition coating of steel wheels is performed.

The maximum throughput rate is 32 wheels per minute.

A 76' x 8' x 6' tank with a capacity of 12,000 gallons is used to electrocoat paint from a dip tank.

Coated wheels are rinsed with deionized water, blown off, and dried.

Five burners are utilized in the drying: a 3.5 MMBtu/hr burner, a 5 MMBtu/hr burner, a 25.1 MMBtu/hr burner, and two 3.1 MMBtu/hr burners.

All burners utilized natural gas.

Construction commenced: December 1999

APPLICABLE REGULATIONS:

Regulation **401 KAR 59:010**, New process operations applicable to each affected facility associated with a process operation which is not subject to another emission standard with respect to particulates in Chapter 59 of 401 KAR commenced on or after July 2, 1975.

Operating Limitations:**401 KAR 59:010**

The following limits shall apply to assure compliance with Emission Limitations #1 and #2.

1. Only natural gas or shall be burned.
2. Operation and maintenance shall be practiced in accordance with the manufacturer's recommendations.

The following **limit** shall apply **to preclude applicability of 40 CFR 63, Subpart B**.

3. Total HAPs used at this emission point during any consecutive 12 month period shall not exceed 18,600 lbs (this includes HAPs in resins, pastes, solvents, and cleaning solutions).

Compliance Demonstration Method:

The following formula shall be used to determine HAP usage at this emission point.

$$\begin{aligned} \text{HAP use (lbs)} = & \sum [\text{gallons of resin} \times \text{HAP content of resin (lbs/gal)}] \\ & + \sum [\text{gallons of paste} \times \text{HAP content of paste (lbs/gal)}] \\ & + \sum [\text{gallons of solvent} \times \text{HAP content of solvent (lbs/gal)}] \\ & + \sum [\text{gallons of cleaning solution} \times \text{HAP content of cleaning solution (lbs/gal)}] \end{aligned}$$

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emission Limitations:

401 KAR 59:010

1. Section 3(1) limits visible emissions to less than 20% opacity.
2. Section 3(2) limits emissions of particulate matter to a maximum of 2.34 lbs/hr.

Compliance Demonstration Method:

If deemed necessary, the Cabinet shall require testing in accordance with 40 CFR 60 Appendix A, Methods 9 and 5, respectively. Otherwise, compliance with the emission limitations has already been demonstrated through compliance with Operating Limitations #1 and #2.

The following **limit** shall apply **to preclude applicability of 40 CFR 63, Subpart B**.

3. Total HAP emissions from this emission point during any consecutive 12 month period shall not exceed 18,600 lbs.

Testing Requirements:

N/A

Specific Monitoring Requirements:

See Operating Limitations #1 and #2 and Specific Record Keeping Requirements #2, #3, and #4.

Specific Recordkeeping Requirements:

401 KAR 59:010

To demonstrate compliance with Operating Limitation #1,

1. A record of the type of fuel burned shall be maintained.

To demonstrate compliance with Operating Limitation #2,

2. A copy of the manufacturer's operating and maintenance specifications shall be maintained and made available to appropriate division personnel,
3. Any operation or maintenance that is less stringent than the manufacturer's minimum recommendation shall be recorded.
4. Dates and descriptions of maintenance that affects proper operation shall be recorded.

The following shall be required to demonstrate compliance with the **limits to preclude applicability of 40 CFR 63, Subpart B**.

5. The HAP content (in lbs/gal or as a weight percentage) of each material (resin, paste, solvent, cleaning solution) used at this emission point shall be recorded.
6. The amount (in gallons or in lbs if HAP content is recorded as a weight percentage) of each material used at this emission point shall be recorded for each month.
7. The total HAP usage (in lbs) at this emission point shall be calculated and recorded for each month.
8. The total HAP usage (in lbs) at this emission point shall be calculated and recorded for each consecutive 12 month period for which data is available.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Reporting Requirements:

To demonstrate compliance with the **limits to preclude applicability of 40 CFR 63, Subpart B** the following shall be submitted semi-annually by a responsible official in accordance with 401 KAR 50:035 Section 6(1).

1. The total amount (in gallons or lbs) of each material used at this emission point each month.
2. The total amount (in lbs) of HAPs used at this emission point each month.
3. The total amount of HAPs used at this emission point during each 12 consecutive month period ending during the reporting period.

401 KAR 59:010

As part of compliance demonstration for Emission Limitations #1 and #2, reporting requirement 5 in Section F shall be modified to require only permit deviations for 401 KAR 59:010 requirements for this emission point. This shall be done every 6 months and certified by a responsible official as specified in Section F requirement 5. See reporting requirements 6, 7, and 8 from Section F for additional reporting requirements.

Specific Control Equipment Operating Conditions:

N/A

Alternate Operating Scenarios:

N/A

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to Regulation 401 KAR 50:035, Section 5(4). While these activities are designated as insignificant the permittee must comply with the applicable regulations. Proper maintenance and operation may also be necessary.

	<u>Description</u>	<u>Generally Applicable Regulation</u>
1.	4 DC Welders and Trimmers in Rim Lines 1 through 3 Controlled by a Torit 2 DF 16 Filter Unit	401 KAR 59:010
2.	Transfer Press and Rim Rolling Pit	401 KAR 59:010
3.	Belco Parts Washer with 2-3.1 MMBtu/hr burners	401 KAR 59:010
4.	4 Wheel Assembly Welders in Assembly Lines 1through 3Controlled by a Torit 2 DF 8 Filter Unit	401 KAR 59:010
5.	3 Single Torch Wheel Assembly Welders in Assembly Line 6 Controlled by a HEPA Filter	401 KAR 59:010
6.	A 4 Torch Wheel Assembly Welder in Assembly Line 5 Controlled by a HEPA Filter	401 KAR 59:010
7.	A 4 Torch Wheel Assembly Welder in Assembly Line 7 Controlled by a HEPA Filter	401 KAR 59:010
8.	A 13 Stage Electrodeposition Pretreatment Line	401 KAR 59:010
9.	Leak Sealant Application	None
10.	A Maintenance Welder	401 KAR 59:010
11.	Miscellaneous Direct Heating Units Rated at Less Than 1 MMBtu/hr Each	None
12.	A Diesel Powered Emergency Fire Pump Rate at Less Than 500 hp (used less than 500 hrs/yr and verified by appropriate records)	401 KAR 59:010
13.	A "Bench-Scale" Lab	None
14.	Several Propane Powered Fork Trucks	None
15.	Storage of Compressed Gases (such as propane, argon, and CO ₂)	None

SECTION C - INSIGNIFICANT ACTIVITIES (CONTINUED)

	<u>Description</u>	<u>Generally Applicable Regulation</u>
16.	A Water Deionization Treatment Cell	None

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

N/A

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

1. Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. When continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place as defined in this permit, and time of sampling or measurements.
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement;
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality. [401 KAR 50:035, Permits, Section 7(1)(d)2 and 401 KAR 50:035, Permits, Section 7(2)(c)]
3. In accordance with the requirements of Regulation 401 KAR 50:035, Permits, Section 7(2)(c) the permittee shall allow the Cabinet or authorized representatives to perform the following:
 - a. Enter upon the premises where a source is located or emissions-related activity is conducted, or where records are kept;
 - b. Have access to and copy, at reasonable times, any records required by the permit:
 - i. During normal office hours, and
 - ii. During periods of emergency when prompt access to records is essential to proper assessment by the Cabinet;
 - c. Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit. Reasonable times shall include, but are not limited to the following:
 - i. During all hours of operation at the source,
 - ii. For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
 - iii. During an emergency; and
 - d. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements. Reasonable times shall include, but are not limited to the following:
 - i. During all hours of operation at the source,
 - ii. For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
 - iii. During an emergency.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Reports of any monitoring required by this permit shall be reported to the division's Bowling Green Regional Office no later than the six-month anniversary date of this permit and every six months thereafter during the life of this permit, unless otherwise stated in this permit. The permittee may shift to semi-annual reporting on a calendar year basis upon approval of the regional office. If calendar year reporting is approved, the semi-annual reports are due January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to Section 6(1) of Regulation 401 KAR 50:035, Permits. All deviations from permit requirements shall be clearly identified in the reports.
6.
 - a. In accordance with the provisions of Regulation 401 KAR 50:055, Section 1 the owner or operator shall notify the Division for Air Quality's Bowling Green Regional Office concerning startups, shutdowns, or malfunctions as follows:
 1. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 2. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.
 - b. In accordance with the provisions of Regulation 401 KAR 50:035, Section 7(1)(e)2, the owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by general condition 6 a. above) to the Division for Air Quality's Bowling Green Regional Office within 30 days. Other deviations from permit requirements shall be included in the semiannual report required by general condition F.5.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

7. Pursuant to Regulation 401 KAR 50:035, Permits, Section 7(2)(b), the permittee shall certify compliance with the terms and conditions contained in this permit, annually on the permit issuance anniversary date or by January 30th of each year if calendar year reporting is approved by the regional office, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an approved alternative) to the Division for Air Quality's Bowling Green Regional Office and the U.S. EPA in accordance with the following requirements:
- a. Identification of each term or condition of the permit that is the basis of the certification;
 - b. The compliance status regarding each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent; and
 - d. The method used for determining the compliance status for the source, currently and over the reporting period, pursuant to 401 KAR 50:035, Section 7(1)(c), (d), and (e).
 - e. The certification shall be postmarked by the thirtieth (30) day following the applicable permit issuance anniversary date or by January 30th of each year if calendar year reporting is approved by the regional office. **Annual compliance certifications should be mailed to the following addresses:**

**Division for Air Quality
Bowling Green Regional Office
1508 Western Avenue
Bowling Green, KY 42104**

**U.S. EPA Region IV
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth St.
Atlanta, GA 30303-8960**

**Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601**

8. In accordance with Regulation 401 KAR 50:035, Section 23, the permittee shall provide the division with all information necessary to determine its subject emissions within thirty (30) days of the date the KEIS emission report is mailed to the permittee.
9. Pursuant to Section VII.3 of the policy manual of the Division for Air Quality as referenced by Regulation 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the division by the source or its representative within forty-five days after the completion of the fieldwork.

SECTION G - GENERAL CONDITIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be (a) violation(s) of state regulation 401 KAR 50:035, Permits, Section 7(3)(d) and, for federally enforceable permits, is also a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) and is grounds for enforcement action, including but not limited to the termination, revocation and reissuance, or revision of this permit.
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition.
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to Regulation 401 KAR 50:035, Section 12(2)(c);
 - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish to the division, in writing, information that the division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. [401 KAR 50:035, Permits, Section 7(2)(b)3e and 401 KAR 50:035, Permits, Section 7(3)(j)]
5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority.

SECTION G - GENERAL CONDITIONS (CONTINUED)

6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit. [401 KAR 50:035, Permits, Section 7(3)(k)]
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance. [401 KAR 50:035, Permits, Section 7(3)(e)]
8. Except as identified as state-origin requirements in this permit, all terms and conditions contained herein shall be enforceable by the United States Environmental Protection Agency and citizens of the United States.
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6). [401 KAR 50:035, Permits, Section 7(3)(h)]
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [401 KAR 50:035, Permits, Section 8(3)(b)]
11. This permit shall not convey property rights or exclusive privileges. [401 KAR 50:035, Permits, Section 7 (3)(g)]
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry. [401 KAR 50:035, Permits, Section 7(2)(b)5]
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders. [401 KAR 50:035, Permits, Section 8(3)(a)]
15. Permit Shield: Except as provided in State Regulation 401 KAR 50:035, Permits, compliance by the affected facilities listed herein with the conditions of this permit shall be deemed to be compliance with all applicable requirements identified in this permit as of the date of issuance of this permit.
16. All previously issued construction and operating permits are hereby subsumed into this permit.

SECTION G - GENERAL CONDITIONS (CONTINUED)**(b) Permit Expiration and Reapplication Requirements**

This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the division. [401 KAR 50:035, Permits, Section 12]

(c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of Regulation 401 KAR 50:035, Section 15.
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority thirty (30) days in advance of the transfer.

**(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements
For EP13**

1. Construction of process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.
2. Within thirty (30) days following commencement of construction, and within fifteen (15) days following start-up, and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Division for Air Quality's Bowling Green Regional Office in writing, with a copy to the division's Frankfort Central Office, notification of the following:
 - a. The date when construction commenced.
 - b. The date of start-up of the affected facilities listed in this permit.
 - c. The date when the maximum production rate specified in the permit application was achieved.

SECTION G - GENERAL CONDITIONS (CONTINUED)

3. Pursuant to State Regulation 401 KAR 50:035, Permits, Section 13(1), unless construction is commenced on or before 18 months after the date of issue of this permit, or if construction is commenced and then stopped for any consecutive period of 18 months or more, or if construction is not completed within eighteen (18) months of the scheduled completion date, then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Extensions of the time periods specified herein may be granted by the division upon a satisfactory request showing that an extension is justified.
4. Operation of the affected facilities for which construction is authorized by this permit shall not commence until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055, except as provided in Section I of this permit.
5. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance demonstration on the affected facilities in accordance with Regulation 401 KAR 50:055, General compliance requirements.

(e) Acid Rain Program Requirements

1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. An emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
 - a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
 - d. The permittee notified the division as promptly as possible and submitted written notice of the emergency to the division within two working days after the time when emission limitations were exceeded due to the emergency. The notice shall meet the requirements of 401 KAR 50:035, Permits, Section 7(1)(e)2, and include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken. This requirement does not relieve the source of any other local, state or federal notification requirements.

SECTION G - GENERAL CONDITIONS (CONTINUED)

2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement.
3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 50:035, Permits, Section 9(3)]

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:
RMP Reporting Center
P.O. Box 3346
Merrifield, VA, 22116-3346
2. If requested, submit additional relevant information to the division or the U.S. EPA.

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

SECTION H - ALTERNATE OPERATING SCENARIOS

N/A

SECTION I - COMPLIANCE SCHEDULE

N/A